

Exhibit D

Annalise Beube

From: FDA FOIA <FDAFOIA@fda.hhs.gov>
Sent: Thursday, July 21, 2022 4:42 AM
To: Colin Farnsworth; FDA FOIA
Cc: S&G Information Request Staff
Subject: RE: [EXTERNAL] IR#790A - FW: FDA Receipt of FOI Request Control # 2022-4476

Follow Up Flag: Follow up
Flag Status: Flagged

2022-4476:--- This is currently in the simple track for search with CBER; depending on the volume of responsive records, it will either remain in the simple track (3-6 months) or move to the complex track (18-24 months).

2022-4098: This is currently in the simple track for search with CBER; depending on the volume of responsive records, it will either remain in the simple track (3-6 months) or move to the complex track (18-24 months).

2022-4101: 18-24 months CBER.

2022-3876: This was referred to HHS OS FOIA Office on 5-25-2022

2022-3879: This was referred to HHS OS FOIA Office on 5-25-2022

2021-1207: 18-24 months CBER

2021-1208 and 2021-1211: Office of the Commissioner FOIA, 18-24 months

Sincerely,

Sarah B. Kotler, J.D.
Director, Division of Freedom of Information
US FDA
301-796-8976

From: Colin Farnsworth <cfarnsworth@sirillp.com>
Sent: Saturday, July 16, 2022 2:21 PM
To: FDA FOIA <FDAFOIA@fda.hhs.gov>
Cc: S&G Information Request Staff <foia@sirillp.com>
Subject: [EXTERNAL] IR#790A - FW: FDA Receipt of FOI Request Control # 2022-4476

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To Whom It May Concern:

Attached is privacy waiver and consent form from Ms. Zimmerman, one of the targets of this request.

My client would like the agency to provide an estimated date of completion for its action on this FOIA Request. Title 5 United States Code Section 552 (a)(7)(B)(ii) states that each agency shall provide the person making a request for

records an estimated date on which the agency will complete its action on the request. The law states:

Each agency shall -- . . . (B) establish a telephone line or Internet service that provides information about the status of a request to the person making the request using the assigned tracking number, including -- . . . (ii) an estimated date on which the agency will complete action on the request.

This provision was enacted by Congress in 2007. According to the Office of Government Information Services Freedom of Information Act Ombudsman, "[t]his requirement helps the requester better understand the agency's FOIA process and gives the requester a more accurate picture of when he/she will receive a response."

In this instance, the agency has not provided an estimated date of completion. Please provide one as soon as possible.

Sincerely,

Colin Farnsworth, Attorney

Siri | Glimstad

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From: FDA_FOI@fda.gov <FDA_FOI@fda.gov>
Date: Friday, June 17, 2022 at 5:32 AM
To: S&G Information Request Staff <foia@sirillp.com>
Cc: FDAFOIA@fda.hhs.gov <FDAFOIA@fda.hhs.gov>
Subject: FDA Receipt of FOI Request Control # 2022-4476

Control number: 2022-4476

Please find the attached acknowledgement regarding your FOIA request.

Note: Do NOT reply directly to this E-mail